



CITY OF ATLANTA

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JAMES SHELBY
Commissioner

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Director, Office of Planning

STAFF REPORT February 13, 2013

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-13-004) for a variance to allow the construction of a new porch stair that is not parallel to the street; and (CA3-13-003) for an addition and other renovations at **841 Virgil Street** – Property is zoned R-5/Inman Park Historic District (Subarea 1).

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: According to the District inventory sheet, the house was built in 1922 and is considered contributing to the District. The one-story, gable bungalow sits on a generally rectangular lot. The majority of the lot sits above sidewalk and street level and is accessed by a set of site stairs up from the sidewalk. The house has been renovated, likely as the Applicant asserts, in the 1950s. This renovation included the enclosure of the original, inset front porch, and the construction of a new front porch projecting out from the front façade of the house.

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:
The following general regulations shall apply to all properties located within the Inman Park Historic District.

1. General criteria.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
 - b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.

- iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- d. Compatibility rule:
- i. The intent of the mayor and council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face; and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945.
 - ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure.
 - (b) Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
- f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
2. Certificates of appropriateness.
- a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
 - v. Variances and special exceptions.
 - e. Type IV certificates of appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.
3. Variances, special exceptions, and appeals. Variance applications, applications for special exceptions, and appeals from these regulations shall be heard by the commission. The commission shall have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16. The commission shall have the authority to grant or deny applications for special exceptions pursuant to the

standards in chapter 25. The commission shall have the authority to grant or deny applications for appeal pursuant to the standards in section 16-30.010 and the appeal provisions for said decision, set forth in section 16-30.010(e), shall also apply to the commission's decision.

Sec. 16-20L.006. - Specific regulations for Inman Park Core District, Subarea 1.

In the Inman Park Core District, Subarea 1, the commission shall apply the standards referenced in section 16-20L.005(1)(b) only if the standards set forth below in this chapter 20L do not specifically address the application:

1. Design standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - e. All front façades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the compatibility rule shall apply.
 - f. The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - i. Front porches on principal structures shall be required. The compatibility rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of eight feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
 - m. The compatibility rule shall apply to the height of portions of retaining walls located in a required front yard or in a required yard adjacent to a public street that are visible from a public street or park. Such retaining walls shall be faced with stone, brick, or smooth stucco. The compatibility rule notwithstanding, no single section of such retaining wall shall exceed four feet in height.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
 - o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
 - p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
 - q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.

2. *Setback requirements:*

- b. *New additions to existing structures:* The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Variance Analysis

The Applicant applied for the following variance: “to allow the construction of a new porch stair that is not parallel to the street”. The Applicant’s variance argument was included in their application.

The Staff concurs with the Applicant’s variance analysis. The location of the current, non-historic stair run immediately adjacent to the front porch (the “upper” stair run) is a function of the infilling of the previously inset, original front porch. This infill work places the “upper” stairs much closer to the street than likely any other house on the block face. The original, “lower” stair run immediately adjacent to the sidewalk will be retained and they are parallel to the public street. Most of the other houses on the block face have more horizontal distance to connect the front porch level to the surrounding grade before the “lower” stair runs start.

The Staff would recommend approval of the variance request.

Site Work

The Staff has no concerns about the proposed site work, including the removal of a section of the concrete walkway on the left side of the house, the installation of a concrete patio to the rear of the addition, and the construction of a retaining wall in the back yard. Further, the Staff finds that the proposed HVAC equipment (assuming that it is over 30 in. high) will meet the minimum right hand setback requirement of 1 ft.

Rear Addition

The Applicant asserts that the rear addition will not be able to be seen from the public street. While the two adjacent houses are close to the subject property and the proposed addition is slightly inset from the side facades of the existing house, the Staff finds that a small portion of the rear section of the addition’s side facades will be visible.

The rear addition meets all of the setback requirements, height (i.e. below the existing ridge line) and massing requirements. The materials of the proposed addition (smooth cementitious siding, wood trim, wood windows, stucco foundation, etc.) meet the District regulations. The

architectural components of the rear addition (windows, roof form, eaves, etc.) meet the District regulations.

House Renovations

The Staff does not have concerns about the removal of the 1950s small, right rear addition to the house. In particular, the partial demolition will not result in the loss of significant architectural features that would destroy the structure's historic interpretability or importance.

Further, the Staff does not have any concerns about the removal of the existing “brick” asphalt sheets, the repair of the underlying wood siding, the reuse of salvageable wood siding from the rear façade to piece in where needed on the front and side facades, or the raising of the sill height on the right hand side window to accommodate a kitchen renovation / installation.

The Staff would recommend, though, that the repair and repointing work on the front porch foundation be done in kind, using a mortar similar in strength and appearance to the existing mortar.

Front Porch Renovations

The Staff does not have concerns about the removal of all of the 1950s front porch elements, including the skim coat of concrete on the floor. In particular, the removal of these elements (i.e. the partial demolition of the front porch) will not result in the loss of significant architectural features that would destroy the structure's historic interpretability or importance.

Regarding the replacement elements (front-facing gable, columns, railing, trim, and stairs), the Staff finds that they generally meet the compatibility rule for the contributing structures on the block face that retain the original or historic version of that particular front porch element. The original front porch columns of the comparison houses are simple “box columns” while the railings have square pickets with simple top and bottom rails.

The Staff would note that there are only a few projecting front porches on the block face, as was the case before the 1950s on the subject house. Most of the houses on the block face with their original or historic front porch configuration have inset porches, while those with original or historic projecting front porches have front-facing gable roofs.

The Staff does have two concerns about the front porch replacement elements. First, the Staff is concerned that the height of the front porch floor above the surrounding grade will necessitate a higher railing to meet the current building code. If a higher railing is needed on the front porch to meet the current building code requirements, the Staff would recommend that the main portion of the front porch railing be kept as currently designed in the application and any added elements to meet the building code requirements are minimal, simple, and non-decorative.

Second, the Staff is also concerned about the use of the wood stringers, treads, and risers for the front porch stairs. It appears that almost all of the original front porch stairs on the block face are various combinations of stone or brick, with small cheek walls. The Staff is concerned that wood stairs are not compatible with the front porches on the block face that retain their original or historic stairs. Further, the wood stairs could appear as an incompatible replacement action or

an afterthought in relation to the stone foundation under them. The Staff would recommend the new front porch stairs meet the compatibility rule as to materials and design.

Staff Recommendation: Based upon the following:

(a) The proposal meets the standards for issuing a variance, per Section 16-26.003(1).

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-13-004) for a variance to allow the construction of a new porch stair that is not parallel to the street, at **841 Virgil Street**.

Staff Recommendation: Based upon the following:

(a) The proposal meets the District regulations, per Section 16-20L.005 and Section 16-20L.006.

Staff recommends approval of a Type III Certificate of Appropriateness application (CA3-13-003) for an addition and other renovations at **841 Virgil Street**, with the following conditions:

1. The repair and repointing work on the front porch foundation shall be done in kind, using a mortar similar in strength and appearance to the existing mortar, per Section 16-20L.005(1)(b);
2. If a higher railing is needed on the front porch to meet the current building code requirements, the main portion of the front porch railing shall be kept as currently designed in the application and any added elements to meet the building code requirements shall be minimal, simple, and non-decorative, per Section 16-20L.005(1)(b);
3. The new front porch stairs meet the compatibility rule as to materials and design per Section 16-20L.006(1)(i); and
4. The Staff shall review, and if appropriate approve, the final elevations, plans, and documentation.



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COMMISSIONER

CHARLETTA WILSON JACKS
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Office of Planning

STAFF REPORT

February 13, 2013

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-13-008) for driveway replacement at 1341 South Ponce de Leon Avenue - Property is zoned Druid Hills Landmark District.

Applicant: Morrison Design, LLC
485 Oakland Avenue, SE

Facts: In 2012, the Commission approved via CA3-12-159 the restoration of a garage / accessory structure at this property, which ultimately included the regrading and replacing of the driveway / motor court in front of the garage to improve drainage. The portion of the proposed driveway replacement closest to the street is also visible from the public street. All of the work currently approved for the property was considered part of (CA3-12-159) or was not able to be seen from the public right-of-way.

Before the Commission as this time is the replacement of a portion of the driveway that can be seen from the public street, roughly from the midpoint of the right side of the house to the front, right hand corner of the house. The Applicant proposes to replace the driveway in-kind, including a slight inward slope to the new, finished driveway to improve the drainage.

Analysis: The following code sections apply to this application:

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

- (3) Minimum landscaping requirements: The overall quality of the landscaped area visible from public ways should be preserved as an integral part of the historic character of Druid Hills, and the following regulations shall apply to all parcels located within the district:
- a. A certificate of appropriateness shall be required for the clearance or removal of any tree with a caliper of four (4) inches or greater and shrub massings or hedges over three (3) feet high.
 - b. All trees with a caliper of four (4) inches or greater as measured four (4) feet above the ground, outside of the building site which are cleared for any reason, shall be replaced with trees having a minimum caliper of one and one-half (1 1/2) inches.

- c. A certificate of appropriateness shall be required for any major change in the landscape which is visible from the public right-of-way. Removal or changes in topography, walls (retaining or freestanding), and fences shall constitute a major change.
- d. The issuance of a certificate of appropriateness for the conversion of any existing building for any permitted nonresidential use, where located adjacent to a residential use, may be conditioned upon the requirement of a suitable buffer by the urban design commission.
- e. Any construction in the Druid Hills Landmark District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the district. Landscape changes visible from the public right-of-way shall require a Certificate of Appropriateness and shall follow the standards set forth by the Secretary of the Interior. These standards, The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes, are designed to assist individual property owners in the formulation of plans for maintenance and continued use of historic properties and landscapes.

Sec. 16-20B.004. Ponce de Leon Corridor regulations.

In addition to the general regulations required in section 16-20B.003, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the Ponce de Leon Corridor.

These regulations are intended to preserve the environmental character and the physical appearance of the corridor in order to encourage the continued use of the existing structures for residential use where feasible, and to assure that any nonresidential use which may be permitted for preservation purposes in existing structures is compatible with the historic character of the district as a whole.

(5) Lot coverage:

- c. For all other permitted uses: No more than 45 percent of the lot may be covered by structures, parking and driveways.

Secretary of the Interior Standards for Treatment of Historic Properties

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The Applicant has provided photographs of the portion of the driveway proposed for replacement that is just to the rear of what is visible from the public street, as well as several photographs of overall views of the length of the driveway as seen from the public street. It does

not appear that photographs have been provided of the specific section of the driveway that is the subject of this application. The Staff understands from the Applicant, though, that this section of driveway needs to be replaced due to its deterioration and to implement the improved drainage design.

Given the limited amount of the driveway replacement that will occur that is actually visible from the public street, the need to improve the drainage to protect the historic accessory building at the end of the driveway, no change in footprint, and the in-kind replacement approach, the Staff does not have any concerns about the proposed work itself.

However, it would recommend that the Applicant provide photographs to the Staff of the specific section of the driveway that is visible from the public right of way and that is the subject of this application.

Staff Recommendation: Based upon the following:

- a) Except as noted above, the proposed site work, meets the District regulations, per Section 16-20B.003 and 16-20B.004.

Staff recommends approval of the application for a Type II Certificate of Appropriateness (CA2-13-008) for driveway replacement at 1341 South Ponce de Leon Avenue, with the following conditions:

1. The Applicant shall provide photographs to the Staff of the specific section of the driveway that is visible from the public right of way, per Section 16-20B.003; and
2. The Staff shall review, and if appropriate approve, the final plans, supporting documents, and specifications.



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Director, Office of Planning

STAFF REPORT **February 13, 2013**

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-13-009) for repairs and alterations to existing windows at **201 Washington Street (Central Presbyterian Church)** - Property is zoned SPI-1 (Subarea 1)/Landmark Building or site.

Applicant: Beth Grashof
1696 McClendon Avenue

Facts: The Central Presbyterian Church was designated as a Landmark Building in 1989. In December, 2012 the Commission approved with conditions the repair and replacement of windows on the community / education building on the west portion of the property. The Applicant before the Commission at this time is generally for the repair of the windows on the Sanctuary Building and the Rand Chapel and the installation of new, exterior window covers.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

- (a) *When Required, Generally:* In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:
 - (1) *Landmark buildings and sites:*
 - (a) To change the exterior appearance of any Landmark Building or Site;

Section 16-20.009:

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, for purposes and objectives contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic regulations as are required in article D of chapter 4 or part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.

- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

The Applicant is proposing to remove and replace all of the existing window covers, and complete all necessary repairs to the windows themselves.

Given that the Applicant is taking an “in kind repair” approach rather than a “replacement” approach for the window work itself, the Staff generally has no concerns about the proposed window work. The window work will include such items as un-bowing of the bowed stain glass; repairing or replacing selected sash components that are missing, broken, or deteriorated; cleaning, and repainting. All of the window repair work will take place off site. As noted by the Applicant, though, some of the needed repair work will not be able to be specifically determined until the window is removed from its opening and examined at close range. While selective in-kind repair or replacement is currently described, it is possible that more extensive work could be needed based on a more detailed examination of each window. As such, the Staff would recommend that the Applicant document to the Staff the need for the wholesale replacement of any given sash (glass or frame) prior to that work taking place.

Regarding the window coverings, the Staff has no concerns about the removal of the acrylic panels as they are contemporary and improperly installed architectural elements. The Staff does not have concerns with the use of windows covers in general and with the proposed glass and metal frame covers proposed for this project in particular. The proposed window and metal frame covers will not cloud or yellow over time and the metal frames are thinner than the historic window sashes such that no stained or decorative window glass will be covered by the new metal, frames. Both of these characteristics will mean that over time, the actual historic windows will be much more visible than they have been for many years. The Staff would recommend, however, that the covers be mounted in such a way as to minimize damage to the existing stone work or wood frames, including when physically possible the reuse of existing mounting holes and the creation of any new mounting holes in joints of the stone work vs. the stone itself.

However, the Staff is concerned about one covering technique that appears to only apply to the West Elevation of the Rand Chapel. In this situation, the covers will be mounted to the face of the stone frame on essentially the same plane as the exterior face of the surrounding wall. This is the same location as the current acrylic covers. It is not clear to the Staff why these covers cannot be mounted within the stone frame, “closer” to the window sashes themselves as is the case with the over window openings. The Staff would recommend that all window covers are mounted as close to the window sashes as possible while allowing for proper ventilation. In addition, the Staff would recommend the Applicant document to the Staff the need to mount the window covers on the West Elevation of the Rand Chapel to the “face” of the stone frame vs. the window itself.

SPI Review

In addition to being a Landmark Building, the Central Presbyterian Church is also in a Special Public Interest District (SPI). It is possible the SPI review may necessitate changes to the project to meet the SPI regulations. Staff recommends any changes necessitated by the SPI review be approved by Staff.

Staff Recommendation: Based upon the following:

(1) Further information and documentation is required, per Section 16-20.009(5);

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-13-009) for repairs and alterations to existing windows at **201 Washington Street (Central Presbyterian Church)**, with the following conditions:

1. The Applicant shall document to the Staff the need for the wholesale replacement of any given sash (glass or frame) prior to that work taking place, per Section 16-20.009(5);
2. The covers shall be mounted in such a way as to minimize damage to the existing stone work or wood frames, including when physically possible the reuse of existing mounting holes and the creation of any new mounting holes in joints of the stone work vs. the stone work itself, per Section 16-20.009(5);
3. All window covers shall be mounted as close to the window sashes as possible while allowing for proper ventilation, per Section 16-20.009(5);
4. The Applicant shall document to the Staff the need to mount the window covers on the West Elevation of the Rand Chapel to the "face" of the stone frame vs. the window itself, per Section 16-20.009(5);
5. Any changes necessitated by the SPI review shall be approved by Staff; and
6. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 13, 2012

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-13-010) for an addition at **528 Grant Street**– Property is zoned R-5/Grant Park Historic District.

Applicant: Shona Griffin
4000 Ferry Heights Drive

Facts: According to the Grant Park Inventory sheet this existing dwelling built in 1900 is considered contributing.

On December 3, 2012 a Type II Staff review (CA2S-12-302) was approved without conditions. The scope of the approval included repairs and alterations to the existing house. Also included was an attic build-out that did not face a public street and did not engage the ridgeline.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;

Per Section 16-20K.007:

- (1) *Development Controls.*

(A) *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.

(B) *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.

(C) *Rear Yard:* Rear yard setback shall be seven feet.

(D) Off-street parking and driveway requirements:

- 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.

3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.

(2) *Architectural Standards.*

(A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

(B) *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).

4. All front facades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.

5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.

14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:

- a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
- b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
- c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
- d. The finish side or front side of one-sided fences shall face the public street.

d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.

(D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is a corner lot, Staff generally makes comments on all street facing facades. There are no changes proposed for the Grant Street elevation, therefore Staff will only make comments regarding the Orleans Elevation (south).

Site

According to the site plan submitted by the Applicant, this corner lot fronts 80.09' on Grant Street and has a depth of 129.82' on Orleans Street. In looking at the City of Atlanta cadastral map, Staff finds there is a slight discrepancy with the lot dimensions. Staff suggests the Applicant contact the Office of Planning subdivision staff to resolve the discrepancy. Per underlying zoning, the maximum FAR (floor area ratio) allowed is .50 of the net lot area. The FAR is indicated as .28 and therefore meets the regulations. Per underlying zoning, the maximum lot coverage allowed is 55%. The lot coverage is indicated as 31% and therefore meets the regulations.

The Applicant is proposing a new rear porch addition. Per regulations, the side yard setback shall be 7' or no closer than the existing contributing house. Staff finds the side yard setback requirement has been met. Per regulations, the rear yard setback shall be no less than 7'. Staff finds the rear yard setback requirement has been met.

Attic and Porch Addition

It appears the Applicant is proposing to demolish an existing addition in order to build a new addition on the existing foundation. In the Type II Staff review that was approved, the attic build-out was on the other side of the existing addition and the proposed ridgeline was lower than the existing ridgeline. The proposed ridgeline will be taller than the existing ridgeline.

Staff finds the existing shed addition is not original to the house, although it may be historic. Staff finds the demolition of the existing demolition will not significantly negatively impact the existing house. Staff does not have a concern with the demolition of the existing shed addition.

In general, Staff finds the overall massing, materials and design of the proposed addition is appropriate. Staff has serious concerns regarding the proposed roof. Staff finds that having an addition with a ridgeline higher than the existing historic house is not appropriate. Staff finds the proposed higher ridgeline negatively impacts the historic structure and does not reinforce the historic architecture of the house. Staff recommends the proposed ridgeline is no less than 1' below the existing ridgeline.

The Applicant is proposing to construct a rear screened porch. Staff finds the overall location, massing, design and materials of the proposed porch addition are appropriate. Staff has no concerns regarding the proposed rear porch addition.

Previously Approved Alterations

The Applicant was previously approved for alterations through a Staff review. As there were no pictures submitted, it is unclear whether the previously approved project was completed and done as approved. Specifically, there was repair and replacement of glass allowed. No full replacement of windows on street facing facades was approved. Staff understands that the elevations indicated as proposed are actually the existing conditions. Staff recommends the Applicant provide pictures and documentation regarding the street facing facades. Staff recommends the Applicant clarify whether the previously approved alterations have been completed as approved.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of (CA3-13-010) for an addition at **528 Grant Street**– Property is zoned R-5/Grant Park Historic District, with the following conditions:

1. The proposed ridgeline shall be no less than 1' below the existing ridgeline, per Section 16-20K.007(2)(D);
2. The Applicant shall provide pictures and documentation regarding the street facing facades 16-20K.007(2)(D);
3. The Applicant shall clarify whether the previously approved alterations have been completed as approved, per Section 16-20K.007(2)(D); and
4. Staff shall review and if appropriate, approve the final plans.



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Director, Office of Planning

STAFF REPORT **February 13, 2013**

Agenda Item: Review and Comment (RC-13-011) for renovations and new construction at **801 Glenwood Avenue (Maynard Jackson High School)**- Property is zoned O-I/Grant Park Historic District (Subarea 1).

Applicant: Perkins + Will
1382 Peachtree Street

Facts: The existing high school was built in 1985 and is currently open. The school is located at the intersection of Glenwood Avenue and Chester Avenue in NPU W.

On April 11, 2012, the Commission reviewed and commented on (RC-12-051) for renovations at the existing high school.

On January 24, 2013, the Commission reviewed and commented on (RC-13-007) for demolition of a portion of the structure at the existing high school.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

In a previous application, full renovations, additions and site work were proposed. The current application only addresses revisions to the gym area. As such, Staff will not address the previously reviewed renovations and additions. As the demolition of the existing gym was discussed in a previous application, Staff will not make comments regarding the demolition. Due to programmatic changes at the school, additional space is needed to house an orchestra and band area. The Applicant is proposing to construct a larger building to replace the previous gym. This new building will house

the orchestra, band, athletics, storage and support spaces. In general, Staff has no concerns regarding the use of the building.

Staff finds the overall design, massing, materials and fenestration are consistent and compatible with the other parts of the existing school. Staff has concerns regarding the lack of vegetation on the roof. Part of the unique character of this school is the vegetated roof. According to the Applicant there are structural limitations that would not allow the use of a vegetated roof. As this will be a new building, it is not clear why it cannot be constructed to structurally allow for a vegetated roof. Staff suggests the new addition include a vegetated roof system to be consistent and compatible with the rest of the school.

The Commission will deliver its comments at the meeting.



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Director, Office of Planning

STAFF REPORT February 13, 2012

Agenda Item: Application for Type III Certificates of Appropriateness (CA2-13-012) for renovations and additions at **634 Rosalia Street**– Property is zoned R-5/Grant Park Historic District.

Applicant: Anne Sciarrone
PO Box 357, Decatur

Facts: According to the Grant Park Inventory sheet this existing dwelling built in 1907 is considered contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;

Per Section 16-20K.007:

- (1) *Development Controls.*
 - (A) *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
 - (B) *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.
 - (C) *Rear Yard:* Rear yard setback shall be seven feet.
 - (D) Off-street parking and driveway requirements:
 - 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.
- (2) *Architectural Standards.*
 - (A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity

of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

(B) *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).

4. All front facades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.

5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.

14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:

- a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
- b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
- c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
- d. The finish side or front side of one-sided fences shall face the public street.

d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.

(D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is a corner lot, Staff generally makes comments on all street facing facades. There are no changes proposed for the Rosalia elevation, therefore Staff will only make comments regarding the Waldo Elevation (east).

Site

According to the site plan submitted by the Applicant, this corner lot fronts 47.06' on Rosalia Street and has a depth of 130.18' on Waldo Street. In looking at the City of Atlanta cadastral map, Staff finds there is a slight discrepancy with the lot dimensions. Staff suggests the Applicant contact the Office of Planning subdivision staff to resolve the discrepancy. Per underlying zoning, the maximum FAR (floor area ratio) allowed is .50 of the net lot area. The FAR is not indicated. Staff recommends the project meet the FAR requirements. Per underlying zoning, the maximum lot coverage allowed is

55%. The plans do not indicate the lot coverage. Staff recommends the project meet the lot coverage requirement.

The Applicant is proposing a new rear addition. Per regulations, the side yard setback shall be 7' or no closer than the existing contributing house. Staff finds the side yard setback requirement has been met. Per regulations, the rear yard setback shall be no less than 7'. Staff finds the rear yard setback requirement has been met. The Applicant is proposing a new rock wall and fence. The height and design of these elements are not indicated on the plans. Staff recommends the Applicant provide details regarding the new wall and fence including design, height and materials.

Addition

The Applicant is proposing to demolish an existing addition in order to build a larger addition. Staff finds the existing addition is not historic. Staff finds that the removal of the addition will not negatively impact the historic structure. As such, Staff has no concerns regarding the demolition of the existing non-contributing addition.

The Applicant is proposing to construct a new rear addition. Staff finds the overall height, massing, materials and design is consistent and compatible with the existing principle structure. Staff recommends the addition be slightly inset or an appropriate corner board installed to help clearly differentiate the new addition from the principal structure. The Applicant is proposing to replace an existing gable vent with a new window. As the shape and location of the new window will match the existing attic vent opening, Staff has no concerns regarding the installation of the new window.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of (CA2-13-012) for renovations and additions at **634 Rosalia Street**– Property is zoned R-5/Grant Park Historic District, with the following conditions:

1. The project shall meet the FAR requirements, per Section 16-06A.008(5)(a);
2. The project shall meet the lot coverage requirement, per Section 16-07.008(6);
3. The Applicant shall provide details regarding the new wall and fence including design, height and materials, per Section 16-20K.007(2)(B)(14);
4. The addition shall either be slightly inset or an appropriate corner board installed to help clearly differentiate the new addition from the principal structure, per Section 16-20K.007(2)(D); and
5. Staff shall review and if appropriate, approve the final plans.



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STAFF REPORT

February 13, 2013

Agenda Item: Review and Comment (RC-13-013) for new parking lots at **211 Memorial Drive (Cook Elementary)** - Property is zoned SPI-22.

Applicant: Reed Parker
5704 Bristol Industrial Way Suite A, Buford

Analysis: The following code sections apply to this application:

Facts: Cook Elementary was built in 1940.

On December 9, 2009, the Commission reviewed and commented on (RC-09-237) on the demolition of an auxiliary building.

Per Section 6-4043 of the Atlanta City Code:

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Cook Elementary has primary frontage on Memorial Drive, however the school has additional frontage on Kelly Street and Connally Street. The Applicant is proposing to remove existing benches, planters, a wood landscape wall, a few trees and a chain link fence in order to install additional parking lots for faculty. Specifically, there will be two separate parking lots located north (Kelly Street) and east (Connally Street) of the existing parking lot.

The existing building takes up a great deal of the lot. The addition of the two parking areas will result in the majority of the lot being covered. As this is an elementary school, Staff has a concern with the lack of a playground or a green space. In 2009, the project involved the demolition of an existing building to create either green space or a playground. Staff had concerns with demolition of the building as there was no specific plan for a playground at that time. Now the area that was slated for green space or a playground is now slated for additional parking.

At this time, the Applicant has not provided any documentation regarding the need for increased parking. The Applicant has also not provided any information regarding how the lack of a playground or green space will be addressed. Given the information we have at this time, Staff cannot support two additional parking lots at this site.



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STAFF REPORT February 13, 2013

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-13-014) for construction at **692 Grant Terrace** – Property is zoned R-5/ Grant Park Historic District (Subarea 1).

Applicant: Michael Dayden
401 Memorial Drive

Facts: According to the Grant Park Inventory sheet this is currently a vacant lot.

Analysis: The following code sections apply to this application:
Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - a. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - b. Type II Certificates of Appropriateness shall be required for: minor alterations to those facades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - c. Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the

loss of significant architectural features which destroys the structure's historic interpretability or importance.

- (3) *Subdivisions.* In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
- (4) *Tree Preservation and Replacement.* The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (5) *Paved surfaces.* The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

Section 16-20K.007. Specific Regulations - Residential Subarea I

(1) *Development Controls.*

- a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
- b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.
- c. *Rear Yard:* Rear yard setback shall be seven (7) feet.
- d. *Off-street parking and driveway requirements:*
 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) feet, exclusive of the flare.

(2) *Architectural Standards.*

- A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

B. *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front facade and a minimum of seven (7) feet in depth. Side porches shall be a minimum of four (4) feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front facades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
6. The height of the principal structure shall not exceed thirty-five (35) feet. (See section 16-28.022 for excluded portions of structures.)
7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two (2) entrance step risers each of which shall be no less than six (6) inches in

- height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
8. Garages entrances are prohibited on the front facade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
 9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
 10. Any portion of a chimney that is located on any facade that faces a public street shall originate at grade.
 11. Any facades that face a public street shall consist of fenestration that is either: 1)substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15% and no greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (16) square feet.
 12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
 13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
 14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
 - b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
 15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front facade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/Veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.

Site Plan

This interior lot fronts 48' on Grant Terrace and has a depth of 190'. Per underlying zoning, the maximum FAR (floor area ratio) allowed is .50 of the net lot area. The FAR is not indicated on the plans. Staff recommends the project meet the FAR requirement. Per underlying zoning, the maximum lot coverage allowed is 55%. The lot coverage is not indicated on the plans. Staff recommends the project meet the lot coverage requirements.

Per regulations, the front yard setback is based on the compatibility rule. In looking at the survey pictures, there is only one contributing house on the block. As the proposed 20' front yard setback matches the contributing house, Staff finds the front yard setback requirement has been met. Per regulations, the side and rear yard setbacks shall be no less than 7'. Staff finds the side and rear yard setback requirements have been met.

As required by the regulations, the site plan indicates a concrete walkway and stairs from the porch to the sidewalk. Staff finds the material and design meet the regulations. The Applicant is proposing a 6' tall wood privacy fence in the side and rear yard. Given the location of the proposed fence, Staff finds the proposed height and material meets the regulations. The site plans indicate appropriately screened mechanical equipment. As the equipment meets the setback requirements and is appropriately screened, Staff has no concerns regarding the mechanical equipment.

Massing and Building Height

The proposed one story house is defined by a half width porch and side gable. Staff finds the proposed house is nearly identical to the only contributing house on the block at 682 Grant Terrace. Per regulations, the maximum height allowed is 35'. The Grant Park Historic district regulations do not specify how the height should be measured. As such, Staff finds the standard City measurement should be used. In looking at the front façade, Staff finds the height requirement has been met.

While Staff finds the overall height and massing is appropriate, Staff has concerns regarding the proportion of the main roof. Staff finds the main roof appears slightly out of proportion when comparing it to the main roof at 682 Grant Terrace. As the regulations do not address the proportion of the roof, Staff suggests the overall height and pitch of the proposed main roof, match the roof at 682 Grant Terrace.

Building Facades

The Commission reviews the facades that face a public street. This is an interior lot, therefore Staff will only comment on the façade that faces a public street.

Windows and Doors

A single front door is parallel and facing the Grant Terrace as required. Staff finds the proposed door is appropriate to the style of the house.

The Applicant is proposing to install 1 over 1, double hung, wood windows on the front facade. The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or are no less than 15% and no more than 40% of the wall surface. Staff finds the design of the windows is appropriate. Further, Staff finds the proposed windows meet the fenestration percentage requirement.

Staff has concerns regarding the placement of the gable vent on the front facade. In looking at pictures of contributing houses in the district, most gables this size do not have vents that engage the frieze or rake. It was mostly in new construction that the location of gable vent was as proposed. As the

regulations do not address the location of gable vents, Staff suggests the gable vent be moved to be consistent and compatible with other similar historic houses.

Building Materials

The proposed materials include 5" cementitious siding, wood windows and trim, wood door, asphalt roofing, stucco chimney, painted concrete foundation, three tab shingles, wood columns, wood stairs and wood front porch railing. Overall, Staff finds most of the proposed materials are appropriate and meet the regulations. Staff recommends the plans indicate siding be indicated as smooth cementitious siding. Staff recommends the chimney material be indicated as brick, stone or architectural C. M.U. as required by the regulations.

Porch

The proposed dwelling has a half width porch with a depth that ranges from 5' to 10'. As the minimum depth of porches is 7', Staff recommends that no portion of the porch be less than 7'. The porch features columns and railings that are compatible with other similar porches in the district. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style. Given the height of the foundation, Staff finds a railing is required to meet safety code. As such, Staff has no concerns regarding the height of the proposed railing.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-13-014) for construction at **692 Grant Terrace** – Property is zoned R-5/ Grant Park Historic District (Subarea 1), with the following conditions:

1. The project shall meet the FAR requirement, per Section 16-06A.008(5)(a);
2. The project shall meet the lot coverage requirements, per Section 16-07.008(6);
3. The plans shall indicate siding be indicated as smooth cementitious siding, per Section 16-20K.007(2)(B)(1);
4. The chimney material shall be indicated as brick, stone or architectural C. M.U., per Section 16-20K.007(2)(B)(15)(e);
5. No portion of the front porch shall be less than 7', per Section 16-20K.007(2)(B)(3); and
6. Staff shall review and if appropriate, approve the final plans.



KASIM REED
MAYOR

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JAMES E. SHELBY
COMMISSIONER

CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
February 13, 2013

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-13-015) for a replat at **135 Krog Street** - Properties are zoned C-2/Beltline/Inman Park Historic District (Subarea 3).

Applicant: Eric Kronberg
1359 Lafrance Street

Facts: The land that is the immediate concern of this application is located on the east side of Krog Street, at the northeast corner of West Ashland Avenue. However, the City's plat map shows this land to be a part of a very large parcel which extends east from the end of Krog Street behind Lake Avenue and West Ashland Avenue. The portion of the property that is the immediate concern of this application includes a one-story, metal warehouse / light commercial building and concrete loading / parking area. To the north and east of this building on the remainder of the overall parcel is a contemporary residential development that was completed prior to the District's designation. None of the existing buildings on the overall parcel are considered contributing to the District.

The existing building and improvements that are the immediate concern of this application are considered by the property owner to be on a separate parcel that is located only at the northeast corner of Krog Street and West Ashland Avenue. The replat would separate the portion of the overall property closest to Krog Street and West Ashland Avenue from the remainder of the already-redeveloped portion farther to the north and east. For non-residentially zoned property in the City of Atlanta, the subdivision of land is accomplished by "replatting" the parcels to the desired configuration.

The request for the replat is associated with the actual redesign of the existing building and property which will be before the Commission at a future meeting. Additionally, the Commission will be commenting on variances / special exceptions before the Board of Zoning Adjustment also related to the redesign of the existing building and property.

The Staff had discussions with the development team prior to the submission of their application both to discuss the project itself, as well as the coordination of the Beltline Overlay Zoning and District reviews.

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development, as amended:

The following general regulations shall apply to all properties located within the Inman Park Historic District.

2. Certificates of Appropriateness.
 - d. Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures.
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a Certificate of Appropriateness in the Subarea regulations.
 - i. Revisions to previously approved plans that result in an increase in floor area ratio, lot coverage, height or a change in the building footprint.
 - ii. Subdivisions, consolidations, and replats as required per Section 16-20L.005(5).
 - iii. Variances and special exceptions.
5. Subdivisions or consolidations.
 - a. In Subarea I, the platting pattern of the Inman Park Historic District is an integral part of the historic character of the district. No subdivision or consolidation shall be approved unless it can be shown that the proposed subdivision or consolidation is substantially consistent with the historic character of the district. In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions or consolidations of lots shall conform to the historic platting pattern in the Inman Park Historic District with regard to lot size, dimensions, and configurations. The compatibility rule shall apply, and no subdivision or consolidation shall be approved unless and until the urban design commission has made a finding that it is consistent with this provision or with the platting pattern of the neighborhood, as it existed in 1945.
 - a. In Subarea II and III, no replat to create additional lots or consolidation shall be approved unless and until the commission has made a finding that the proposed replat or consolidation will result in lots that would allow for future development that would meet the district and subarea regulations without the need for variance or special exception. The commission may make such a finding independent of or concurrently with the review of proposed new construction, alterations, or additions on those same lots.

The portion of the property closest to the northeast corner of Krog Street and West Ashland Avenue has had little substantive change in the buildings or improvements for many years. As is the case periodically for non-residential properties, the property configuration maintained by the City on its official plat maps does not match the property configuration either on file with Fulton County or what is understood to be the property configuration by the property owner given previous deed transactions, property transfers, current surveys, previous development work, etc. Further, as noted above, the existing overall parcel recognized by the City's plat maps has already been substantially redeveloped to the north and east of the buildings and improvements that are the immediate concern of this application.

The proposed replat would not change the overall boundary of the parcel, but divide the parcel into two parcels which would reflect the configuration of the previously approved residential development to the north and east, and the location of the existing building and improvements at the northeast corner of Krog Street and West Ashland Avenue. It would not change what has been considered to be the "property" by the property owner. The replat would not add property to what has likely been considered to be a separate parcel by most individuals who know about the existing building and improvements.

There are not any variance requests from the District regulations before the Commission at this time. In addition, given that the requested parcel configuration would not change what has been considered by the property owner and others to be a separate parcel in the past and no new buildings are being proposed, any potential variances related to the site plan would likely have been required even absent the requested replat.

Further, the Staff finds that the proposed replat would not make it more or less likely that a future development would meet the District and subarea regulations given that the site has been considered one project site in the past, is being discussed as one project site currently, and the replat would not make a potential project site larger or smaller than it is already considered.

The Staff would add that the Applicant has filed the standard City of Atlanta / Office of Planning replatting application which applies to all properties in the City of Atlanta whether or not they are in a Historic or Landmark District.

Staff Recommendation: Based on the following:

- 1) The proposed lot consolidation meets the requirements of the District, per Section 16-12L.005(5).

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-13-015) for a replat at **135 Krog**, with the following conditions:

1. The Staff shall review, and if appropriate approve, the final lot consolidation documents.



CITY OF ATLANTA

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 13, 2013

Agenda Item: Review and Comment (RC-13-021) on the National Register of Historic Places nomination of the Fulton County Almshouse at 215 West Wieuca Road NW- Property is zoned R-3.

Request of: David Crass, Division Director
Georgia State Historic Preservation Office

Facts: In its capacity as a Certified Local Government, the City of Atlanta is given the opportunity to comment on nominations to the National Register of Historic Places. Listing on the National Register of Historic Places provides recognition by the federal government of a building's or districts architectural and historical significance. The nomination is sponsored by the property owners, who also prepared the nomination materials.

Analysis: This brick Neoclassical Revival style building was completed in 1911 and designed by the Georgia firm, Morgan and Dillon. The building is part of the Galloway School campus and is located in the Buckhead neighborhood. The building is defined by a symmetrical façade with a hipped roof, a two-story portico, Doric columns and a triangular pediment. The building also has two rear wings. The building features typical materials, architectural details, fenestration and layout associated with the Neoclassical Revival style. Given there have been few exterior alterations, Staff agrees that this building is eligible for the National Register of Historic Places based on its architecture.

While this building is currently used as part of a school, historically it was used as the Fulton County Almshouse. This building was used to house and take care of the elderly and the poor. This particular building was used for white residents. A building nearby, now used as the Chastain Arts Center, was used for black residents. This is one of two former Almshouses still existing in Fulton County. The information provided also indicates its significance in women's history as a former superintendent Jessie Early Clark Boynton ran the facility from 1932 to 1963. There were very few women who had positions of authority in Fulton County during this time. Given the buildings history associated with helping the poor and elderly, and its association with Jessie Early Clark Boynton, Staff agrees that this building is eligible for the National Register of Historic Places based on its social history.

Staff Recommendation: Based on the following:

- a) The nomination meets the National Register of Historic Places criteria;

Staff recommends that the Commission deliver comments in support of the National Register nomination.



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Commissioner

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STAFF REPORT February 13, 2013

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-13-023) for a special exception to allow a 6' fence/ wall in the half depth front yard at **744 Berne Street**– Property is zoned R-5/Grant Park Historic District.

Applicant: Roderick Cloud
110 Cascade Circle

Facts: According to the Grant Park Inventory sheet this single family dwelling built in 1950 is considered contributing.

On October 30, 2012, Staff reviewed and approved an application for a 6' privacy fence on the side and rear façade. The plans did not include a 6' privacy fence in the half depth front yard. It is Staff's understanding that a 6' privacy fence has been erected in the half depth front yard.

On December 27, 2012, the Applicant applied to the Board of Zoning Adjustment (BZA) for a special exception to allow a 6' tall privacy fence in the half depth front yard. On January 28, 2013, Staff notified the Applicant that the special exception application would be heard by the UDC. The original BZA application has been removed from the agenda.

On January 9, 2013, the Commission approved with conditions an application for a Type III Certificates of Appropriateness (CA3-12-301) for alterations that were completed without a permit.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

(2) Certificates of Appropriateness.

(B) Type III Certificates of Appropriateness shall be required for:

1. All new principal structures;

(3) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.

Per Section 16-20K.007:

(1) *Development Controls.*

(A) *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.

(B) *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.

(C) *Rear Yard:* Rear yard setback shall be seven feet.

(D) Off-street parking and driveway requirements:

1. Off-street parking shall not be permitted in the front yard or half-depth front yard.

3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.

(2) *Architectural Standards.*

(A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

(B) *Design Standards and Criteria for New Principal Structures.*

14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:

- a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
- b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
- c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
- d. The finish side or front side of one-sided fences shall face the public street.

e. Special exceptions on greater height of walls or fences in required yards: The board of zoning adjustment may grant special exceptions in any district for greater heights only upon finding that:

1. Such wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood;
2. Such greater height is justified by requirements for security of persons or property in the area;
3. Such greater height is justified for topographic reasons; or
4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

This corner lot fronts 60' on Berne Street and has a depth of 160' on Eloise Street. The existing property is towards the end of Berne Street. Directly behind the lot is a large abandoned apartment complex and directly across the street from the property is a large sports field. In looking at pictures submitted by the Applicant, Staff finds that having a large abandoned apartment complex behind the existing property does raise safety concerns. Specifically, abandoned buildings often attract vagrants and crime.

Notwithstanding the height, the overall material, location and design of the fence are appropriate. Staff finds the privacy fence does not prevent the passage of light and air to adjoining properties. Staff finds there are other examples of similar privacy fences in the district. Staff finds the Applicant has documented there are security issues for this corner lot. Given the information we have at this time, Staff finds that it is appropriate to approve a special exception for the privacy fence.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of (CA3-13-023) for a special exception to allow a 6' fence/ wall in the half depth front yard at **744 Berne Street**– Property is zoned R-5/Grant Park Historic District.



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

November 14, 2012

Updated

February 13, 2013

(updated information in italics)

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-12-260) for variances to allow an increase in the half depth front yard from 10' (required) to 12' (proposed); an increase in the left side yard setback from 3' (required) to 24' (proposed); an increase in the house width from 34' (required) to 48' (proposed) and an increase in the house height from 15' (required) to 25'9" (proposed); *to use another block face as a point of comparison under the compatibility rule* and (CA3-12-259) for construction of a new residential duplex at 37 Waverly Way – Property is zoned R-5/Inman Park Historic District (Subarea 1).

Applicant: Steven Gaynair
84 26th Street

Facts: This lot is currently vacant. *This application has been deferred since November 28, 2012 to allow the applicant time to address the concerns of Staff and the Commission.*

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Inman Park Historic District.

1. General Criteria.

- a. Except as otherwise provided herein, the procedures for determining the appropriate type of Certificate of Appropriateness shall be those specified in Section 16-20.008 of the Zoning Code.
- b. In the Inman Park Historic District, the Commission shall apply the standards referenced below only if the standards set forth elsewhere in this Chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- d. Compatibility Rule: The intent of the Mayor and Council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to

existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face, and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945. To further that intent and simultaneously permit flexibility in design, the regulations provide a Compatibility Rule which is as follows: Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure. Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.

2. Certificates of Appropriateness.

- a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.

d. Type III Certificates of Appropriateness shall be required for:

- i. All new principal structures.

6. Tree Preservation and Replacement.

The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Section 158-26, shall apply to this District. Section 16-20L.006. Specific Regulations for Inman Park Core District, Subarea 1.

In the Inman Park Core District, Subarea 1, the Commission shall apply the standards referenced in Section 16-20L.005(1)(b) only if the standards set forth below in this Chapter 20L do not specifically address the application:

1. Design Standards and other criteria for construction of and for additions to one- and two-family residential structures.

- a. No individual house design shall be substantially repeated on the same side of a street block.
- b. An unpaved planting strip adjacent and parallel to the public street shall be provided. The Compatibility Rule shall apply to the dimensions and location of planting strips.
- c. A sidewalk between the planting strip and the required front yard and parallel to the public street shall be provided. The Compatibility Rule shall apply to sidewalks. The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width required by law, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six feet wide. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick.
- d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
- e. All front facades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the Compatibility Rule shall apply.
- f. The Compatibility Rule shall apply to the form and pitch of the primary roof of the principal structure.
- g. The Compatibility Rule shall apply to the height, scale, and massing of the principal structure. In no case shall the height of a structure exceed 35 feet. (See Section 16-28.022 for excluded portions of structure.)
- h. Height of the first floor of the front façade above grade shall be subject to the Compatibility Rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than 7 inches in height. Slab-on-grade construction is not permitted.
- i. Front porches on principal structures shall be required. The Compatibility Rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of 8 feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to 10 feet into the required front yard. All front porch steps shall have closed risers and ends.
- j. Decks are permitted only when located to the rear of the principal structure and such decks shall be no wider than the width of the house.
- k. The use of chimneys with new principal structures is encouraged. When any portion of a chimney is visible from a public street or park as a façade element, the chimney shall originate at grade.
- l. Fences and walls, excluding retaining walls, visible from a public street or park upon completion, subject to the provisions of Section 16-28.008(5) and the following limitations, may occupy required yards:
 - i. Fences not exceeding 4 feet in height may be erected in the front yard or half-depth front yard. Walls, excluding retaining walls, are not permitted in the front yard or in other yards adjacent to public streets.
 - ii. Fences and walls not exceeding 6 feet in height may be erected in side or rear yards.

- iii. The Compatibility Rule shall apply to all fences located in a required front yard adjacent to a street. Such fences shall be constructed of brick, stone, ornamental iron, or wood pickets. Chain link fencing is not permitted in front yards or in other yards adjacent to public streets.
- m. The Compatibility Rule shall apply to portions of retaining walls located in a required front yard or in a required yard adjacent to a public street that are visible from a public street or park. Such retaining walls shall be faced with stone, brick, or smooth stucco. The Compatibility Rule notwithstanding, no single section of such retaining wall shall exceed 4 feet in height.
- n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the Compatibility Rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
- o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
- p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
- q. The Compatibility Rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - viii. Visible foundation materials.
 - (1) Foundations shall constitute a distinct building design element and shall contrast with the primary façade siding material. Exposed concrete or CMU foundation walls are prohibited as a finished surface.
 - ix. Visible portions of chimneys.
 - (1) Chimneys shall be faced with masonry. Siding on chimneys is not permitted.
- 2. Minimum Yard Requirements. The following minimum yard requirements and maximum floor area ratio shall apply to all permitted uses of new construction and to additions to existing structures: Front, side, and rear setbacks shall be subject to the Compatibility Rule.
- 3. Off-street parking and driveways. In addition to the provisions of Section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses:
 - a. Off-street parking shall not be permitted between the principal structure and any public street.
 - b. Parking shall not be permitted on walkways that are located between the street and the façade of the principal structure.
 - c. The use of alleys for access to such parking is both permitted and encouraged. No variance is required for driveways coming off of an alley.
 - d. Driveways shall not exceed a width of 10 feet not including the flare at the street.
 - e. Side by side driveways are not permitted except upon approval of the Urban Design Commission.
- 4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - i. Single-family detached dwelling.
 - ii. Two-family dwelling, subject to the limitations and requirements set forth herein.
 - iii. In no case shall there be more than one principal building and one principal use on a lot.
 - iv. A lot shall not be used for more than two dwelling units.
 - v. Floor area ratio shall not exceed 0.50.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Variance to use another Block Face for the Purposes of the Compatibility Rule

In looking at the subject block face, Staff finds the lot in question is significantly larger than the other lots. The block face is comprised of small one-story houses on small lots. As the subject property cannot be subdivided, anything built would require multiple variances. Staff finds it is appropriate to have larger houses on large lots. Given the unusual size of the lot, Staff finds it is appropriate to allow the use of another block face for the purposes of the compatibility rule.

According to the Applicant, 154 Hurt Street is to be used as a point of comparison. As such, Staff finds that the 154 Hurt Street block face should be used as a point of comparison in regards to the compatibility rule. The Applicant did not provide compatibility rule information for all of the contributing houses on the block face. Staff recommends the Applicant provide compatibility information for all of the contributing houses on the block face.

Staff looked at an online map of the block face and survey pictures. Staff finds the Hurt Street block face is comprised of both standard lots and large lots. The large lots have frontages that range from 90' to 112'. In particular, the corner lot at 192 Hurt Street is the largest lot, as is the case on the Waverly Way block face. As the Hurt Street block face has varied lot sizes and houses with various designs, widths, heights and setbacks, Staff finds this is an appropriate block face to use as a comparison.

In looking at the online map in general, Staff would note that there are both large houses on standard lots and large houses on large lots. Given the varied house setbacks, widths and heights, Staff finds it likely that many of the variance requests may not be needed. In comparing the corner lot on the block face and the adjacent corner lot, Staff finds it likely the half depth front yard variance will still be needed.

Variance for Half Depth Front Yard

The Applicant is requesting a variance to increase the half depth front yard from 10' (required) to 12' (proposed). Staff would note that there are no contributing corner properties on the block face. As such, the Applicant chose another block face with a contributing corner property. As the subject block face does not have a contributing corner lot, Staff does not have a concern with choosing a new block face. According to the Applicant, the comparison lot has a duplex with a similar scale and massing as the proposed. Staff would note however that the new comparison lot is much smaller than the subject lot. As such, Staff recommends the Applicant find a comparison lot that is similar in size to the subject lot.

The corner lot in question has a width of approximately 95'. In looking at the 1932 Sanborn Fire Insurance Map, this lot was originally two smaller lots. It is unknown when and why the lots were consolidated. Given the size of the lot, Staff finds it would be difficult to construct a house that met the half depth front yard requirements and the side yard setback requirements. Staff finds that an

increase in the half depth front yard will not cause a significant detriment. Given the information we have at this time, Staff generally supports the half depth front yard variance, however as previously mentioned, Staff finds the Applicant should choose a more appropriate comparison lot.

As recommended by Staff, the Applicant has chosen a more appropriate block face as a point of comparison. Given the updated information received, a revised variance may be required.

Variance for the Left Side Yard Setback

The left side yard setbacks on the block face range from 30' to 3'. The Applicant is proposing to increase the left side yard setback to 24' in order to accommodate access to parking. Notwithstanding the proposed parking, Staff finds that meeting the left side yard setback would require the Applicant to increase the width of the house by an additional 21'. As the proposed house is already wider than allowed by the regulations, Staff finds that adding 21' of width is not appropriate in order to meet the setback requirement. Staff finds that requiring the Applicant to make the house bigger is a hardship. Given the information we have at this time, Staff supports the left side yard setback variance.

Staff retains its recommendation. Given the updated information received, this variance could be eliminated.

House Width Variance

According to the Applicant, the maximum house width allowed is 34'. However, in looking at the documentation, Staff finds the 34' comes from a house on another block face and therefore cannot be used. Staff finds the maximum width allowed on the block face is 32'. The Applicant is proposing a house that has a width of 48'. As previously mentioned, the lot in question is significantly larger than the other lots on the block face. Staff finds that often larger houses are constructed on larger lots. As such, Staff finds that constructing a larger house on this lot could be appropriate.

While Staff can support a wider house on this lot, there needs to be an appropriate comparison. According to the Applicant, 909 Edgewood has a width much larger than the proposed house. As 909 Edgewood is a non-contributing house, Staff finds it is not an appropriate comparison. Staff finds the Applicant should provide documentation regarding the width of larger houses on similar lots. By having a comparison of other similar lots with large houses, Staff will be able to determine whether the proposed width is appropriate. Staff recommends the Applicant provide documentation that the proposed width is consistent and compatible with other large houses on similar lots.

Staff retains its recommendation. Given the updated information received, this variance could be eliminated.

Height Variance

According to the Applicant the heights of the contributing houses on the block face range from 14' to 15'. The Applicant is proposing to increase the allowable house height to 25' 9". As mentioned previously, Staff finds that allowing a larger scale house on a large lot could be appropriate. Staff would note the proposed height is smaller than the overall maximum height allowed of 35'. In looking at some of the other two-story houses in the district, Staff finds the proposed house height is likely similar to those houses. As we are requesting documentation regarding the width and half depth front yard of larger houses on similar lots, Staff finds it would be appropriate to look at the height in that context as well. Staff recommends the Applicant provide documentation the proposed height is consistent and compatible with other similar contributing large house on similar lots.

Staff retains its recommendation. Given the updated information received, this variance could be eliminated.

Site Plan

Setbacks

The lot in question fronts approximately 95' on Waverly Way and has a depth of 120' on Dekalb Avenue. The front yard setbacks on the comparison block face range from 8' to 18'. The proposed front yard setback is 10' at its closest point and therefore meets the setback requirement. Per regulations, the rear yard setbacks shall meet the compatibility rule. The Applicant did not provide compatibility information regarding the rear yard setback. Staff recommends the Applicant provide documentation the rear yard setback requirement has been met. As discussed in the variance portion. Staff is in support of the left side setback variance. Staff is also in support of the half depth front yard variance, however additional documentation has been requested.

As previously mentioned, Staff finds that additional documentation is needed to determine whether the project meets the setback requirements.

Development Controls

The proposed house will be a duplex, which is an allowed use by the District regulations. The District regulations limit the floor area ratio to .50 of the net lot area. The Applicant did not provide information regarding the FAR. Staff recommends the Applicant provide documentation the FAR requirement has been met. Per regulations, the maximum lot coverage allowed is 55%. The Applicant did not provide information regarding the lot coverage. Staff recommends the Applicant provide documentation the lot coverage requirement has been met.

As recommended by Staff, the Applicant has indicated an FAR and lot coverage that meets the regulations. The Applicant did not provide details regarding how those ratios and percentages were calculated. Staff recommends the Applicant provide details regarding how the ratios and percentages were calculated.

Site Work

In looking at the site plan, it is not clear whether there is an existing sidewalk or whether a new sidewalk is proposed. Staff recommends the Applicant clarify the proposal for the sidewalk. If a new sidewalk is proposed, Staff recommends the new sidewalk meet the regulations. Staff finds that an appropriate walkway is indicated as required by the regulations. The materials are not indicated. Staff recommends the plans indicate a walkway material that meets the regulations.

In an updated site plan, the sidewalk is indicated as existing. The walkway is indicated as brick. Staff has no concerns regarding the walkway material,

Per regulations, All front facades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the Compatibility Rule shall apply. As the front façade is not parallel to the street, Staff recommends the Applicant provide documentation the block has houses that are historically situated at an angle.

In looking at an online map of the Hurt Street block face, Staff finds there are examples of houses situated at an angle.

It is not clear if there is any exterior mechanical equipment proposed for the site. Staff would note that mechanical equipment must be located within the buildable area of the lot and properly screened. Staff recommends the site plan indicate any proposed mechanical equipment.

There was no updated information. Staff retains its recommendation.

Per regulations, off street parking is required. The plans indicate several garages for parking, therefore the parking requirement has been met. Staff would note that parking is not allowed between the principal structure and the street. Staff finds that the parking pad on the side of the house is partially located past the front of the house. Staff recommends that any paved area for the driveway or parking be no wider than 10' between the front wall of the principal structure and the front property line.

As recommended by Staff, the parking pad is not located past the front façade of the proposed house.

General Massing and Scale

The roof form and pitch are subject to the compatibility rule. According to the Applicant, there are both hips and gables on the block face. Further all of the pitches on the block face are 6 in 12. As such, Staff finds the roof pitch and form meet the regulations. The first floor height is subject to the compatibility rule. According to the Applicant, all of the first floor heights are 11". The proposed first floor height is 11" and therefore meets the regulations.

The height of the proposed house is subject to the compatibility rule. As previously mentioned, while Staff supports the construction of a taller house than is allowed by the compatibility rule, Staff finds additional documentation is required.

The width of the house is subject to the compatibility rule. As previously mentioned, while Staff supports the construction of a wider house than is allowed by the compatibility rule, Staff finds additional documentation is required.

Architectural Elements and Materials

Front Porch

The Applicant is proposing a wraparound porch that spans the entire front façade on both the Waverly Way and Dekalb Avenue elevations. The overall design and configuration of porches is subject to the compatibility rule. While the porch meets the depth and width requirements, Staff finds having a full width two-story porch on both Waverly and Dekalb is not at all consistent or compatible with the contributing houses on the block face. Staff finds the proposed porch design and configuration is likely not compatible with other contributing houses in the district. Staff recommends the front porch design be redesigned to be consistent and compatible with other similar houses in the district.

Staff finds the proposed front porch design is not at all consistent and compatible with any of the contributing houses on the Hurt Street block face. Staff recommends the front porch be redesigned to be consistent and compatible with the porches on the Hurt Street block face.

Windows and Doors

Per regulations, the size and shape of the windows as well as the overall fenestration pattern are subject to the compatibility rule. The Applicant is proposing 4 over 1 windows with divided transoms. In looking at the windows of the contributing houses on the block face, Staff finds the overall design and fenestration pattern is not consistent and compatible with the other houses. Staff recommends the

Applicant redesign the window design and the overall fenestration pattern to be consistent and compatible with the other houses on the block face.

In looking at the windows on the Hurt Street block face, Staff finds there are varied designs and patterns. Staff finds the proposed fenestration design and pattern is consistent and compatible with the block face.

Materials

The exterior materials will consist of: 6" and 8" cementitious siding, cementitious material for trim, corner boards and frieze boards, wood doors and columns, fiberglass shingles and a modular block retaining wall. Staff recommends all siding be indicated as smooth and be no more than 4"-6". The window material is not indicated on the plans. Staff recommends the plans indicate an appropriate material for the windows. Modular block is not allowed for retaining walls. Staff recommends the plans indicate an appropriate material for the retaining wall that meets the regulations. The foundation material is not indicated on the plans. Staff recommends the plans indicate an appropriate foundation material.

In updated plans, the windows are indicated as wood, the cementitious siding is indicated as smooth with a 4" reveal and the foundation material is indicated as brick veneer. Staff does not have a concern with the materials. According to the Applicant, most of the retaining wall will not be visible from a public street or park. The Applicant has not provided documentation or explanation regarding the visibility. Given the information we have at this time, Staff retains its recommendation.

General Design Comments

Staff has general concerns regarding the proposed design. As previously mentioned, Staff finds that having a larger house on a larger lot could be appropriate. Staff finds the proposed design is not consistent or compatible with the smaller contributing houses on the block face and is not consistent or compatible with some of the contributing larger houses in the district. Staff looked at some of the contributing duplexes in the district and found the design is not consistent or compatible with many of the contributing duplexes in the district. Staff did find some non-contributing houses that had similar elements as the proposed design.

Staff finds the proposed design should either be consistent and compatible with other contributing duplexes or consistent and compatible with other large houses on large lots. As such, Staff suggests this application be deferred to allow the Applicant time to redesign the project and provide documentation to support the new design.

In looking at updated plans, the overall design of the house has changed very little. Staff finds the overall design is not consistent or compatible with the Waverly block face or the Hurt Street block face. According to the Applicant, the proposed design is compatible with the existing contributing house at 154 Hurt. Staff does not agree that this design is at all consistent and compatible with the house at 154 Hurt Street.

Staff is willing to support many of the variances if needed, including using the Hurt Street block face to allow the Applicant greater flexibility. At the same time, Staff finds the overall architectural design must meet the regulations. Staff finds the Hurt Street block face has a large variety that includes both simple and high style architecture. Staff finds there is a way to propose a house that is compatible with the block face and accommodate the height, width and lay out the Applicant is requesting. Staff cannot support the proposed design. Staff recommends the overall house design is

redesigned to be consistent and compatible with the contributing houses on the Hurt Street block face.

Staff Recommendation: Based upon the following:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
2. The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
3. Such conditions are peculiar to the particular piece of property involved; and
4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Staff recommends deferral of an application for a Type III Certificate of Appropriateness (CA3-12-260) for variances to allow an increase in the half depth front yard from 10' (required) to 12' (proposed); an increase in the left side yard setback from 3' (required) to 24' (proposed); an increase in the house width from 34' (required) to 48' (proposed) and an increase in the house height from 15' (required) to 25'9" (proposed) at 37 **Waverly Way** – Property is zoned R-5/Inman Park Historic District (Subarea 1), to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall provide compatibility information for all the contributing houses on the Hurt Street block face, per Section 16-20L.006 (1) and (2);
2. The Applicant shall provide documentation that the proposed width is consistent and compatible with other large houses on similar lots, per Section 16-20L.006(1)(g) and 16-26.003 ; and
3. The Applicant shall provide documentation the proposed height is consistent and compatible with other similar contributing large house on similar lots, per Section 16-20L.006(1)(g) and 16-26.003.

Staff Recommendation: Based upon the following:

- 1) Except as noted above, the proposal meets the District regulations, per Section 16-20L.005 and 16-20L.006.

Staff recommends deferral of an application for a Type III Certificate of Appropriateness (CA3-12-259) for construction of a new residential duplex at 37 **Waverly Way** – Property is zoned R-5/Inman Park Historic District (Subarea 1), to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall provide details regarding the FAR calculations, per Section 16-20L.006(4)(v);
2. The Applicant shall provide details regarding the lot coverage calculations, per Section 16-07.008(6);
3. The site plan shall indicate any proposed mechanical equipment, per Section 16-20L.006(1)(o);
4. The front porch design shall be redesigned to be consistent and compatible with the houses on the Hurt Street block face, per Section 16-20L.006(1)(i);
5. The plans shall indicate an appropriate retaining wall material that meets the regulations, per Section 16-10L.006(1)(m);
6. The house shall be redesigned to be consistent and compatible with the contributing houses on the Hurt Street block face, per Section 16-20L.006(1); and
7. Appropriate copies of all plans and documentation shall be submitted no later than 8 days before the meeting to which the case has been deferred.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

January 23, 2013

Updated

February 13, 2012

(updated information in italics)

Agenda Item: Review and comment (RC-13-001) for demolition of three buildings/structures at **800 Cherokee Avenue** (Zoo Atlanta)- Property is zoned R-5.

Applicant: Antrell Gales
1751 Bolton Road

Facts: *At the January 23, 2013 Commission meeting, this application was deferred to allow the Applicant time to address the concerns of Staff and the Commission.*

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (5) The Commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, high-ways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.
- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Applicant is proposing to demolish a wall, a one story block building and a third building. It is not clear from the application when the structures were constructed, what the structures are used for and why they are being demolished. It is also not clear whether the third building will be completely demolished or whether it is the wood shed connected to the building that is proposed for demolition.

According to the notes on the application, the demolition is for green space. As the existing structures are separated by gravel and concrete, it is not clear whether the proposed demolition will be used to create one green space or separate green space areas. It is not clear what the green space will be used for.

In general, Staff finds the application lack details regarding the existing and proposed conditions. Staff suggests the Applicant provide information regarding the history, condition and use of the existing structures. Staff further suggests the Applicant provide information regarding the function and design of the proposed green space. Given the information we have at this time, Staff cannot fully comment on this application.

The Applicant submitted updated information regarding the proposed demolition. According to the Applicant, the existing strictures were used as maintenance buildings. The buildings are currently vacant and not being used. According to the Applicant, the existing buildings are proposed for demolition in order to make way for the new Reptile and Amphibian Complex. In 2009 the Commission reviewed and commented on application (RC-09-046) on the new reptile complex. Staff would note that no demolition was proposed as a part of the previous application.

Staff finds the existing buildings are not historic and not significant to the property. Staff finds the existing buildings are currently vacant and not being used. Staff finds that the demolition of the existing buildings and structures will allow for the construction of an exhibit previously reviewed by the Commission. Given the information we have at this time, Staff has no concerns regarding the proposed demolitions.

Staff Recommendation: Staff recommends the Commission deliver its comments at the meeting.